

SUPREME COURT OF NOVA SCOTIA

Citation: *R. v. Young*, 2013 NSSC 441

Date: 20130308

Docket: CR SAT No. 411674

Registry: Antigonish

Between: Her Majesty the Queen

v.

Francis Mark Young

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Judge: The Honourable Justice Peter Rosinski

Heard: March 8, 2013 in Antigonish, Nova Scotia

Oral Decision: March 8, 2013

Written Decision: March 4, 2014

Subject: Conviction and sentencing on ss. 264.1(1)(a), 139(2) and 145(3) *Criminal Code of Canada*.

Summary: While under recognizance the accused verbally harassed the complainant in open court.

Issues: (1) Have the offences been proved beyond a reasonable doubt; and if so, what is the appropriate sentence(s)?

Result: Acquitted of s. 139(2) and s. 264.1(1) charges; convicted of 2 counts under s. 145(3) of the *Criminal Code*.

Sentenced to 12 months custody and 18 months' probation – 60 days pre-sentence credit for 40 days on remand.

[N.B. Sentence reduced on appeal to 6 months custody and 18 months' probation – 2014 NSCA 16]

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